

Minutes approved as amended
February 17, 2009

Call to Order: by Bruce Holmes at 7:00 p.m.

Present: Bruce Holmes, Chairman, Bill Curtin, Timothy Roy, David Hussey, Sharon Penny, Planner, Randy Sanborn, Planning Secretary

Appointment of Alternates: David Collier for Tom Hoopes.

Approval of Agenda: changes presented by the Town Planner. Continuance for Case P08-32. Additions to other business. Case P08-31 on the agenda was contingent on being heard by the ZBA and has not yet but feels should be heard tonight as to where there are in the process.

Continued to the February Planning Board meeting.

Case# P08-32

Map 32 Lot 3&5-1

Boundary Line Adjustment

Joseph Byrne

Riverlake West Street

Application submitted by George Chrisenton on behalf of Joseph Byrne for a Boundary Line Adjustment to allow an increase of size to lot 32/5-1 and give it access to Riverlake West Street. This parcel is located in the Residential zone.

Motion by B. Curtin to approve agenda as amended. Second by D. Hussey. No discussion. Vote unanimous.

Public Input: None seen or heard. Public Input closed.

Continued Public Hearings:

Case# P08-31

Map 52 Lot 1&2

Boundary Line Adjustment

Charles & Catherine McCauley

167 Route 11D

Application submitted by Bryan Bailey of Turning Point Land Surveyors & Land Planners for a proposed Boundary Line Adjustment to enlarge the smaller lot (lot 1) by adding .5 acres which will include the accessory building. This parcel is located in the Lakeshore Residential zone.

Present for this case: Bryan Bailey.

This plan was presented on November 18, 2008 for a Boundary Line Adjustment. Here tonight with questions. Plan was tabled for opinion from Town Council on whether a Variance before the Zoning Board was necessary. Mr. Sessler's opinion was to go to the Zoning Board for a Variance. Mr. Bailey feels that there is nothing in this plan for obtaining a Variance. The applicants obtained council and they do not see the need for this Variance as well. Applicant's council has suggested a modification for the Boundary Line Adjustment. Neither lot in their present condition has 150' of lot frontage. Taking the two lots and making two non-conforming lots to one conforming and one less non-conforming.

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S. Penney noted this still needs to go to the ZBA for the lot size.

T. Roy stated they cannot approve a non-conforming lot.

B. Bailey feels that in his experience you cannot make a lot more non-conforming in a Boundary Line Adjustment. Feels the Planning Board should give him the Zoning Ordinance where they are making their decision not to approve the Boundary Line Adjustment. This has been approved in the past.

S. Penney stated that it may have been approved in the past but that doesn't make it right as advised by Town Council. Stated the first plan that was presented and accepted would need to go the ZBA for 2 Variances. The new plan he is presenting this evening would need to go to the ZBA for one Variance.

Mr. Bailey feels the Planning Board is suggesting rules that do not exist. He took away his proposal presented tonight but this proposal was not distributed to the Board.

Mr. Curtin stated they will be creating a new lot and deed with this change.

Mr. Bailey strongly disagreed.

Mr. Hussey stated Town Council has advised to not approve a non-conforming lot. As a Board they cannot go any further with this application.

Motion by D. Hussey to send this application to the ZBA as originally proposed. Second by B. Curtin. No discussion. Vote unanimous.

Design Review:

Case # P09-02

Map 9 Lot 59-1&2

Design Review

Huggins Hospital

New Durham Rd. & Range Road

Application submitted by Mark Lucy of White Mountain Survey on behalf of applicant Huggins Hospital for a design review of a proposed site plan. These parcels are located in the Residential Commercial and Rural Residential Zone. A Use Variance has already been obtained for the RR parcel.

Present for this case: James Rines, Jody Balint, Jeff Parks.

Purpose to share with the Board what they are coming with to the Board with a complete application in the near future. Currently made up of two lots of record. Total of both 2.91 acres. Received a Variance for relief of the parking requirements in 2008. Received variance for 1 parking space for every 190 square feet. 73 parking spaces on plan. Onsite septic system. Serviced by municipal water. Building would be suited with a sprinkler system. Plan does conform to the wetland setback requirements and the 25' buffer. Pre and post development drainage have been designed on Range Road continue to hold the run-off.

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State permits required for septic. Need a letter from the Town. Need site plan approval and driveway permits and water connection. The hospital would like to phase this project (two phases). First phase unfinished basement, attic to store medical records and would only require 43 parking spaces. Parking lot by range road would be gravel and used for construction staging. Planning on presenting an application within the next week or so.

S. Penney noted drainage studies are suggested. 12,700 square feet. No pool currently planned for the facility. Would they consider any impervious surface technology in the paving to help with run-off post development?

D. Hussey noted there is a lot of run-off in that area and would suggest looking at some pervious paving.

J. Rines stated you need 3 feet above the water table and this would not work on this lot. Impervious paving is costly.

T. Roy asked about a terrain alteration permit. Does it include both phases?

J. Rines confirmed that it does.

S. Penney was curious for architectural design.

Design was presented. Hardy plank with shingle siding. Roof with shingles.

B. Curtin asked if this was 24 hour service.

J. Balint stated no.

J. Rines noted it was pedestrian scale lighting that is shielded.

S. Penney asked about traffic.

J. Rines stated ITE showed this would not be a problem.

T. Roy asked about number of employees.

J. Balint stated approximately 9-10.

D. Hussey asked about landscape design.

J. Rines referred to the plan where this is planned.

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D. Hussey asked about signage.

J. Rines stated one on the corner of Range Road and one by the entrance by Range Road. Primary entrance is back/right corner of the building. Trash is located on the plan back lot. Underground utilities. Water pressure has great flow. They have spoken with the Town Water Engineer. They have not been in front of the Fire Department yet.

S. Penney noted the Department heads will review the plan.

This is a relocation of the current family practice with walk-in service. The rehab currently at old building will continue to stay there.

Discussion on meeting with the Fire Department and the applicants are welcome to meet with the Fire Department before application submittal. Applicants are ready to submit if there are no flags from the Board.

Encouraged by the Board to submit their application for the February meeting

New Applications for Public Hearing:

Case P09-01

Map 36 Lots 29 & 28

Boundary Line

Adjustment

Henry & Jacqueline Brandt & Brandt Development Co.

175 Mt. Major Hwy

Application submitted by William L. Tanguay, Esq., McNeill, Taylor & Gallo, PA on behalf of applicants Henry & Jacqueline Brandt and Brandt Development Co. for a proposed Boundary Line Adjustment to allow for a DES approved septic system. This parcel is located in the Residential Commercial zone.

Present for this case: William Tanguay and Hank Brandt.

S. Penney noted the applicant did go before the ZBA and received a Variance for this Boundary Line Adjustment.

W. Tanguay - lot 36-29 would like to put a new septic system - compliant with State requirements and Shoreland Protection act. Need to be 75 feet from wetland and 10 feet from lot lines. Tom Varney is the engineer for this project and distributed a letter from him. Mr. Varney stated in order to meet the 75 foot setback was necessary to put the septic system where they have located on the plan. To meet the 10 foot setback they need a Boundary Line Adjustment. Swapping equal amounts of property for the lot line adjustment. The two lots remain equal in size. This is both town and well water. Water from the town is seasonal. The ZBA has conditions for this Boundary Line Adjustment. The setback line on 36-29 goes straight to the road.

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S. Penney suggested an easement to the abutting lot for maintenance for building number 4.

B. Curtin asked for size tank.

T. Roy stated for a two bedroom house.

W. Tanguay noted they will have to go before the Department of Health for the location of the septic system.

S. Penney noted that Lot Line Adjustments that have been approved the Planning Office and the Assessor's Office would appreciate a copy of the new deed.

Motion by B. Curtin to accept the application for case P09-01 with waivers. Second by D. Hussey. No discussion. Vote unanimous.

Open to the public for input.

None seen or heard.

Closed to the public for input.

Motion by T. Roy to approve Case P09-01 with the following conditions and waivers.

1. All State and Local permits be obtained and requirements of the town Alton Zoning Ordinance are met.
2. An Easement is added to benefit of unit 4 to allow maintenance to unit 4. Such easement shall be 10 feet from the property line north and run concurrent with 51.73 feet from the east end boundary to the west end portion also known as "A"
3. The stipulation that structures on lot 29 is not constructed any further south on the property than what the setback will allow.
4. Note be added to the plan: Must get DES septic approval before the plat is sign and get approval from the Board of Health from the Town of Alton.

Second by B. Curtin. Discussion on whether to add having the corrected deed copied to the Planning Department. No further discussion. Vote unanimous.

Other Business:

1. Approval of Minutes - done in the Work Session previous to this meeting.
2. Old Business;
 - a. Subdivision checklist - T. Roy suggested to include that monies should be set aside for utilities.
 - b. Electricity provisions for Subdivisions
3. New Business - None.

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4. Correspondence - None.
5. Any Other Business that may come before the Board.

Brian Connelly and Karen O'Rourke. Here to discuss application fee that is being required for a new application that was replacing an application that was denied due to being incomplete.

S. Penney noted the application was not sufficient in the Board's purview to be accepted. There was a waiver also requested from the 25 foot setback and the Board was not willing to accept that waiver. This project is coming up again to be submitted.

Mr. Connelly would like the Board to consider not charging the \$6300 for this new application. Noted that the site walk and Design Review there were suggestions not requirements. There were also issues with the road development and easement for access on to Swan Lake and Austin Road.

S Penney read the minutes from October 21, of 2008. Motion from Tom to deny the application specifically that the Board was not willing to grant the waiver and other concerns listed in the motion. Motion made after to go to Design Review of the project with more suggestions.

B. Holmes stated that if the application was denied but turned to Design Review and they are planning on resubmitting a new application then there should not be an additional fee required.

S. Penney noted this applicant was before the Board a while back with a Conceptual...

B. Holmes stated that maybe suggestions should have been stated that those suggestions are really what the Board wants to see.

B. Connelly stated he can understand keeping the fees if he is not going to continue with this application and project. But he is continuing the project and trying to make changes that the Board would like to see.

S. Penney read the motion from the Board with regard to the request for returning the fees. Discussion on the way the Board "suggests" items during Design Review. It should be clearly stated if an item will be considered to be required.

S. Penney noted that C. Balcius had concerns about the site specific soils.

K. O'Rourke noted it is now required as of January 1, 2009.

Motion by B. Curtin that based on misunderstandings between the application for P08-29 and the Planning Board itself by not releasing his monies that a subsequent application for this

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project the fees will be transferred. All real fees for noticing abutters and newspaper publications will be required. Second by D. Hussey. Discussion. No further discussion. Vote unanimous.

B. Holmes would like the applicant to sit down with Planner to go over their application. There will be fees that will be required to submit this application. Suggested to go to the Selectmen with regard to the easement.

Suggest to get an appointment with the Board of Selectman to go over your road design or get something in writing from the Road Agent on his suggestions.

B. Curtin asked about this size of the surrounding lots. The two lots on either side of his lot there is plan for future development of those lots.

B. Holmes suggested the more meetings back and forth for a project of this size is best for both sides.

Motion by D. Hussey to adjourn. Second by B. Curtin. No discussion. Vote unanimous.

Respectfully submitted,
Carolyn Schaeffner
Recording Secretary